

Stay Tuned for the Next Steps

As a stakeholder in the project, your early and continued participation in the EIS process is extremely important for ADOT to obtain your valuable input into the project. Prior to beginning the investigation and analysis of environmental impacts, several preliminary steps need to be completed.

Publication of a Notice of Intent

A Notice of Intent (NOI) will be published in the Federal Register to officially notify the public that an EIS will be prepared and considered for the proposed action. Publication of the NOI marks the beginning of the Scoping process.

Scoping Meetings

In the coming weeks ADOT will hold a series of Scoping meetings, in various locations, to gather public and agency input on the scope of issues to be addressed and identify the significant issues related to the proposed action. ***Your participation and input are vital to a successful Scoping process.*** The Scoping meeting schedule will be communicated to invitees to this meeting and public agencies; the general public will also be notified of upcoming meetings through the media.

Development of Purpose and Need

Utilizing information obtained from past planning studies and during the Scoping process, a statement of project purpose and need will be developed to establish why the agency is proposing to undertake the proposed action—at considerable public expense and impacts to the environment.

Identification of the Range of Alternatives

Using the project purpose and need as a guide, a number of reasonable, prudent, and practicable alternatives will be selected for investigation and analysis in the EIS.

A Policy Created to Protect the Environment

The introductory language of the NEPA legislation, codified in 42 U.S.C. §4321-4347, January 1, 1970, as amended by Pub. L. 94-52, July 3, 1975, Pub. L. 94-83, August 9, 1975, and Pub. L. 97-258, § 4(b), Sept. 13, 1982) states:

The purposes of this Act are: To declare a national policy which will encourage productive and enjoyable harmony between man and his environment; to promote efforts which will prevent or eliminate damage to the environment and biosphere and stimulate the health and welfare of man; to enrich the understanding of the ecological systems and natural resources important to the Nation; and to establish a Council on Environmental Quality.

The intent of this act is to promote better decisions on major federal projects, by providing a framework for the nation to:

- Protect the environment for succeeding generations;
- Assure safe, healthful, and pleasing surroundings for all Americans;
- Attain the widest range of beneficial uses of the environment without undesirable consequences;
- Preserve important historic, cultural, and natural aspects of our national heritage;
- Achieve a balance between population and resource use which permits sharing of life's amenities; and
- Enhance the quality of renewable resources and recycling of depletable resources.

The agency carrying out the federal action (the lead agency) is responsible for complying with the requirements of NEPA. For the Arizona Intercity Rail Study, the Federal Rail Administration (FRA) has been designated as the lead agency.

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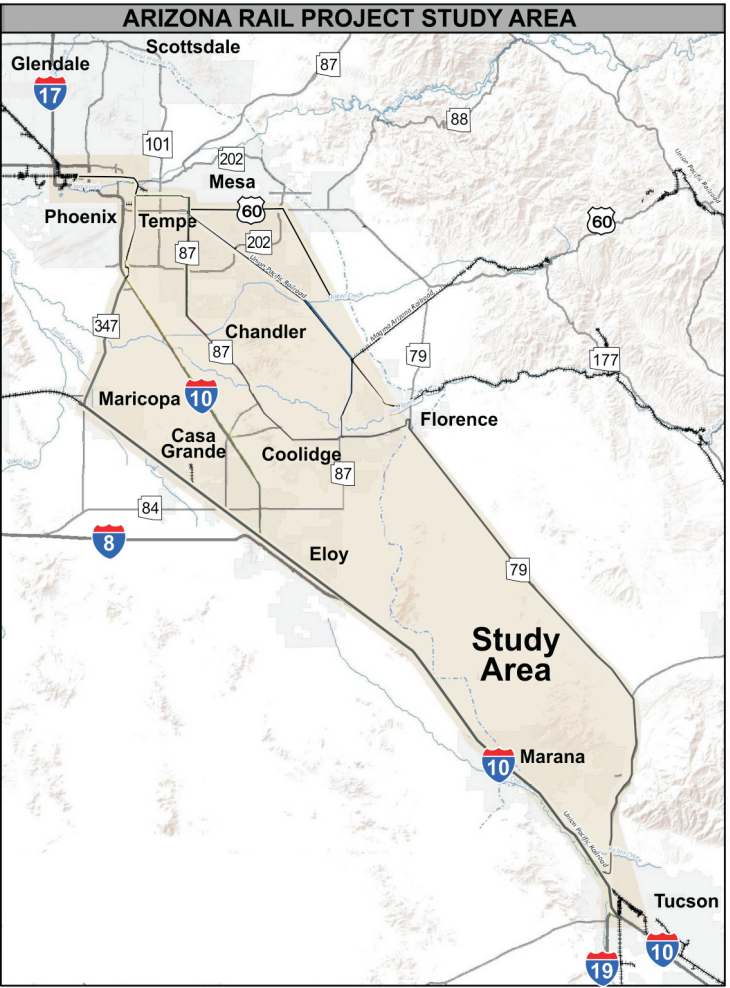
Arizona Department of Transportation U.S. Federal Railroad Administration Intercity Rail Study

Passenger Rail is Coming to Arizona!

Long-range transportation planning that promotes optimum quality of life is important to the Arizona Department of Transportation (ADOT). Through three years of collaborative planning efforts and community workshops, regional and statewide framework studies have provided a transportation planning basis for the Arizona State Rail Plan.

A rail plan of statewide magnitude cannot be implemented at one time. So, to “get the ball rolling” on the State Rail Plan, the Federal Railroad Administration (FRA) has authorized ADOT to conduct an Intercity Rail Study (study area pictured at the right). This study represents the first time ADOT has undertaken an Alternatives Analysis and Environmental Impact Statement (EIS) for implementation of passenger rail service.

As a stakeholder, you have a unique opportunity to contribute early and often in the decision making process for a project of lasting importance to one of the nation’s fastest-growing states.



The Study Area represents the geographic area where an intercity rail project between Tucson and Phoenix may be located.

You are Invited to Participate in the NEPA Process

Projects such as the Arizona Intercity Rail Study are subject to the requirements of the National Environmental Policy Act (NEPA) of 1969. The act establishes a broad national framework for environmental policy. It assures that all branches of government give proper consideration to the environment prior to undertaking any major federal action that significantly affects the environment.

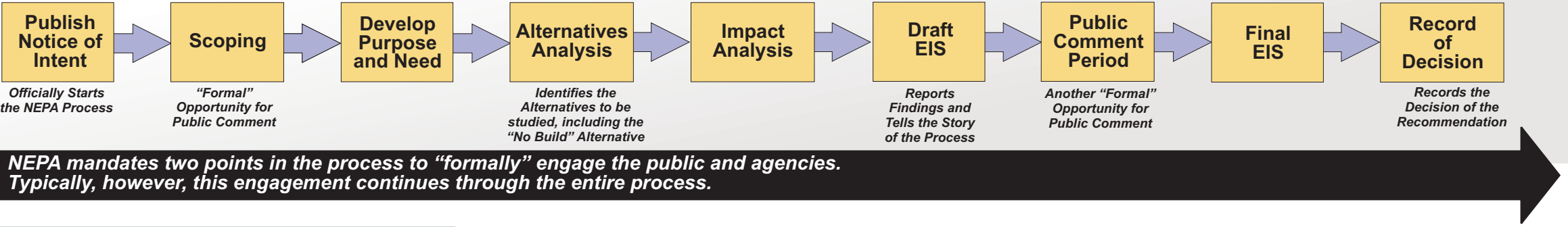
The most visible products of the NEPA process are Environmental Assessments and Environmental Impact Statements, which are assessments of the likelihood of impacts from alternative courses of action. **These documents are made available to the public prior to a decision to proceed with a major federal action.** Generally, an Environmental Assessment either documents a Finding of No Significant Impact, or indicates that the project warrants an EIS. The EIS is a more comprehensive document that examines a range of project alternatives and discloses the environmental effects of each one. At the conclusion of the EIS process, a Record of Decision documents how and why the selected project alternative was chosen.

A specific process is followed when preparing an EIS, that in part engages the public, interested organizations, government entities, and agencies in determining the scope of the analysis, reviewing the findings of the Draft analysis, and commenting on those findings prior to the finalization of the document. The Final EIS incorporates all comments received and responds to each one, including further analysis, if necessary.

This open process, when properly carried out, results in better-informed analysis, greater consensus on project decisions among all interested parties, and better projects overall.



The Environmental Impact Statement Process



Stakeholders Have a Role in the EIS Process

You have been invited to this meeting because the group you represent, whether a government entity, private sector enterprise, non-profit organization, or regulatory agency, has an interest in the Arizona Intercity Rail Study. Throughout the EIS process you will have numerous opportunities to provide input and feedback in the environmental clearance component of the Arizona Intercity Rail Study.

Federal, state, tribal or local agencies may by law be either a **cooperating agency** or a **participating agency** in the NEPA process for this project.

A **cooperating agency** would be any federal agency (other than a lead agency) with jurisdiction or special expertise relative to the environment in the project area. A State or local agency or a Native American tribe may, by agreement with the lead agency, also become a cooperating agency.

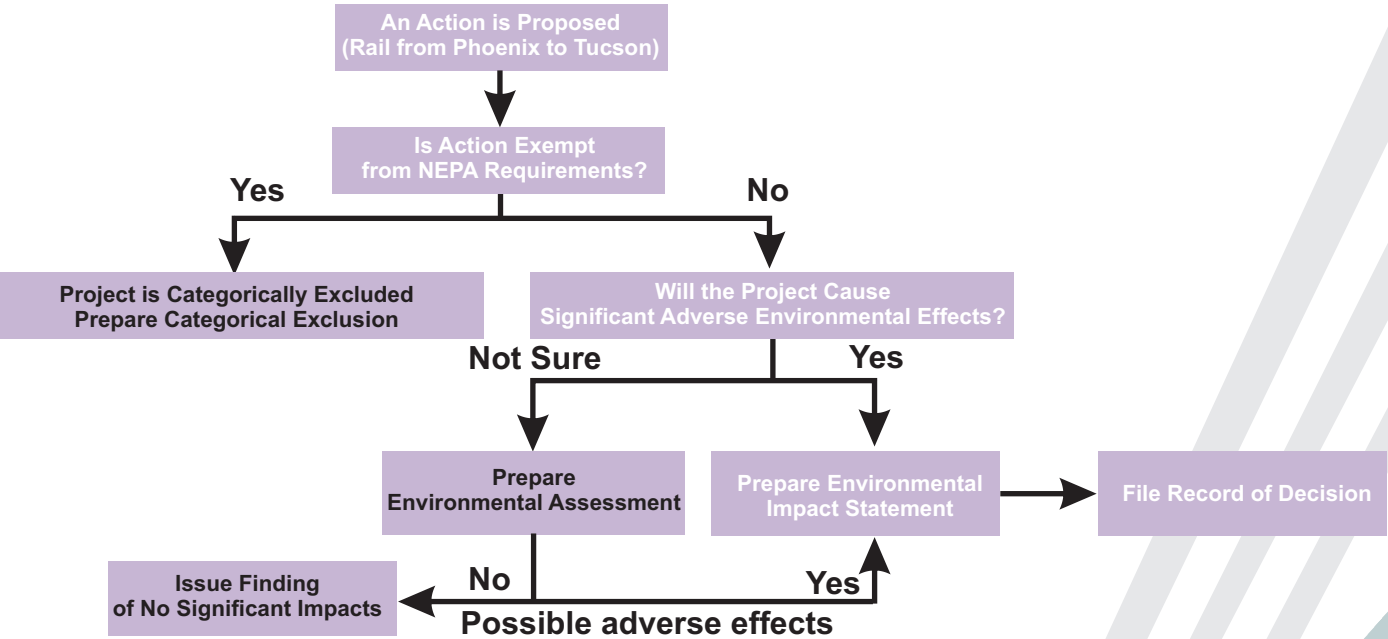
A **participating agency** would be any agency with an interest in the project. This category includes those that may not qualify as cooperating agencies but may still have an interest in the project.

Regardless of the agency designation, as a stakeholder agency in the project, your agency will have the opportunity to participate through out the process but we will seek your input at specific points in the process encouraging your agency to submit spoken or written comments at a number of points during the EIS process:

- During the project Scoping process, your agency can help identify key issues to be addressed in the EIS and their importance; identify issues that are not important; and suggest alternatives to the proposed action. All tribal, local, state, and federal regulators with a vested interest in the project should attend the Scoping meeting, along with any agency and jurisdiction.
- Once the Draft EIS becomes publically available, a Notice of Availability is published in the Federal Register allowing your agency to read and comment on the document. During this period, one or more Public Hearings will be held to gather comments as well. Comments can take the form of questions to be answered in the Final EIS, or general remarks on the content of the Draft EIS. Comments could result in additional analysis, if deemed necessary, to be included in the Final EIS.
- After the Final EIS becomes available 30 days are allotted to submit comments on any substantive issues; these comments will be included in the Record of Decision.

Why Are We Doing an EIS for this project?

The need to prepare an EIS for a project is determined through an initial screening process, as illustrated on the chart below. Projects that are likely to result in significant adverse environmental impacts are subject to the EIS process. Owing to the nature and scope of the Arizona Intercity Rail Study, this project was determined likely to result in adverse effects on the environment, and would therefore require NEPA’s highest level of scrutiny, an Environmental Impact Statement.



NEPA benefits projects and their stakeholders by:

- Gathering data and documenting the potential impacts of a project before decisions on major Federal actions (including transportation projects) are made.
- Leading to better-informed decision making as it requires a range of project alternatives and their impacts to be analyzed.
- Mandating consultation with regulatory agencies and involvement of the public, and requiring all comments and responses be included in the Final EIS. Further comments on the Final EIS and their responses are included in the Record of Decision.
- Identifying measures available to minimize or mitigate the effect of significant adverse impacts when they are unavoidable.
- Ensuring an investigation that is sufficient and legally defensible in the selection of a project alternative.

Your continued attention and input in this project are extremely valuable, whether or not your group qualifies as a cooperating and/or participating agency. It is important—and necessary in the NEPA process—that all interested parties be given the opportunity to voice their concerns. Along with the environmental analysis, the aim of this consultation and outreach is to develop a project alternative that satisfies the intended purpose of the NEPA legislation while meeting the project’s stated purpose and need.